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**BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

**MITCHELL R. HALTER, M.D.**

Holder of License No. 29626  
For the Practice of Allopathic Medicine  
In the State of Arizona.

**Case No. MD-11-0091A**

**INTERIM ORDER FOR PRACTICE  
RESTRICTION AND CONSENT TO THE  
SAME**

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**INTERIM CONSENT AGREEMENT**

Mitchell R. Halter, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Order for Practice Restriction; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

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**FINDINGS OF FACT**

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 29626 for the practice of allopathic medicine in the State of Arizona.

3. On January 21, 2011, the Board received a self-report from Respondent that since July of 2010, he had forged prescriptions by using the name of one of his nurse practitioners, and writing them for his son. He would subsequently fill the prescriptions and utilize the medication for himself. The medications were indicated for residual and intractable abdominal pain resulting from a perforated bowel.

4. On January 28, 2011 Respondent was referred to the Board's Physician Health Program (PHP) for a substance abuse assessment. Subsequently, the PHP contractors recommended that Respondent undergo a chemical dependency evaluation at a Board-approved facility. Dr. Halter completed the evaluation on April 29, 2011.

5. On May 4, 2011, the Board received the contractor's assessment report and the evaluator's discharge summary. The evaluator stated that Respondent was not safe to practice medicine, and his diagnostic impression was Opioid Dependence and Chronic pain.

6. The evaluation facility recommended that Respondent receive treatment for chemical dependency at the residential level in a facility geared to dual diagnosis treatment of physicians and capable of advanced pain and abdominal examination.

7. The Executive Director has consulted with investigative staff and the Board's medical consultant, who has reviewed the case and agrees that a consent agreement is appropriate.

### CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The Executive Director may enter into a consent agreement with a physician if there is evidence of danger to the public health and safety pursuant to A.R.S. § 32-1405(C)(25) and § 32-1451(F); A.A.C. R4-16-504.

3. Based on the information in the Board's possession there is evidence that if Respondent were to practice medicine in Arizona there would be a danger to the public health and safety.

## ORDER

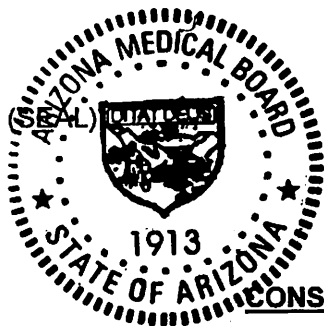
**IT IS HEREBY ORDERED THAT:**

1. Respondent shall not practice clinical medicine or any medicine involving direct patient care, and is prohibited from prescribing any form of treatment including prescription medications, until Respondent applies to the Board and receives permission

1 to do so.

2 2. This is an interim order and not a final decision by the Board regarding the  
3 pending investigative file and as such is subject to further consideration by the Board.

4 DATED AND EFFECTIVE this 6<sup>TH</sup> day of MAY, 2011.



ARIZONA MEDICAL BOARD

By

Lisa S. Wynn  
Executive Director

10 CONSENT TO ENTRY OF INTERIM ORDER

11 1. Respondent has read and understands this Interim Order for Practice  
12 Restriction and Consent to the Same and the stipulated Findings of Fact, Conclusions of  
13 Law and Order ("Interim Order"). Respondent acknowledges he has the right to consult  
14 with legal counsel regarding this matter.

15 2. Respondent acknowledges and agrees that this Interim Order is entered  
16 into freely and voluntarily and that no promise was made or coercion used to induce such  
17 entry.

18 3. By consenting to this Interim Order, Respondent voluntarily relinquishes any  
19 rights to a hearing or judicial review in state or federal court on the matters alleged, or to  
20 challenge this Interim Order in its entirety as issued, and waives any other cause of action  
21 related thereto or arising from said Interim Order.

22 4. The Interim Order is not effective until approved and signed by the  
23 Executive Director.  
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1           5. All admissions made by Respondent are solely for final disposition of this  
2 matter and any subsequent related administrative proceedings or civil litigation involving  
3 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
4 or made for any other use, such as in the context of another state or federal government  
5 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
6 any other state or federal court.

7           6. Upon signing this Interim Order, and returning this document (or a copy  
8 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the  
9 entry of the Interim Order. Respondent may not make any modifications to the document.  
10 Any modifications to this original document are ineffective and void unless mutually  
11 approved by the parties.

12           7. This Interim Order is a public record that will be publicly disseminated as a  
13 formal action of the Board and will be reported to the National Practitioner's Data Bank  
14 and on the Board's web site.

15           8. If any part of the Interim Order is later declared void or otherwise  
16 unenforceable, the remainder of the Interim Order in its entirety shall remain in force and  
17 effect.

18           9. Any violation of this Interim Order constitutes unprofessional conduct and  
19 may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order,  
20 probation, consent agreement or stipulation issued or entered into by the board or its  
21 executive director under this chapter") and 32-1451.

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24 Mitchell R. Halter, M.D.  
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DATED: 05/06/2011

1 EXECUTED COPY of the foregoing mailed  
2 this 10<sup>th</sup> day of May, 2011 to:

3 Mitchell R. Halter, M.D.  
4 Address of Record

5 ORIGINAL of the foregoing filed  
6 this 10<sup>th</sup> day of May, 2011 with:

7 Arizona Medical Board  
8 9545 E. Doubletree Ranch Road  
9 Scottsdale, AZ 85258

Kathleen Mueller  
10 Arizona Medical Board Staff  
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